

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15023 of 2024

Arising Out of PS. Case No.-235 Year-2023 Thana- KHAJAULI District- Madhubani

Ram Sevak Yadav @ Ramsevak Yadav Son of Late Kishun Yadav Resident of
Village- Inarwa Ward No. 10, P.S.- Khajauli, District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jitendra Bharti, Advocate

For the Opposite Party/s : Mr. Parmanand Prasad, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 04-03-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with G.R.
No. 1813 of 2023, arising out of Khajauli P.S. Case No. 235 of
2023, instituted for the offences punishable under Sections 272,
273 of the Indian Penal Code and Section 30(a) of the Bihar
Prohibition and Excise Act.

3. The prosecution case, in short, is that, 70.5 liters
liquor was recovered from one house and the petitioner was
apprehended on spot.

4. Learned counsel for the petitioner submits that the
petitioner has falsely been implicated in the present case.
Charge-sheet has been submitted in this case. No incriminating



material has been recovered from the conscious possession of the petitioner. The petitioner has got no concern with the alleged recovery of liquor. It is further submitted that petitioner is not the owner of the seized house. The petitioner is in custody since 17.12.2023 and has got two criminal antecedents in which the petitioner is on bail. There is no compliance of Section 100 of Cr.P.C.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case and the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with G.R. No. 1813 of 2023, arising out of Khajauli P.S. Case No. 235 of 2023.

(Rudra Prakash Mishra, J)

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